

1 REMARKS

2 Status of the Claims

3 Claims 1-22 are pending in the application, Claims 1 and 21 having been amended to clarify
4 that applicants' invention is directed towards patentable subject matter, Claims 8 and 18 having been
5 amended to provide correct antecedent basis wherein "decorative table" as formerly recited has been
6 amended to recite "decorative panel," and Claims 9 and 19 having been amended to correct a
7 typographical error wherein "... user associate" as formerly recited has been amended to recite
8 "...user to associate."

9 Claims Rejected under 35 U.S.C. § 101

10 The Examiner has rejected Claims 1-3, 5-13, and 21-22 under 35 U.S.C. § 101 because the
11 Examiner asserts that the claimed invention is directed to non-statutory subject matter. Specifically,
12 the Examiner asserts that the claims read on a mental construct/abstract idea, or at best a computer
13 program, *per se*. The Examiner notes that language such as, "A method for automatically formatting
14 a table to reflect a change in a visual appearance of a decorative panel that comprises..." does not
15 clearly define structural elements and is not tangibly embodied on a computer readable medium,
16 which is interpreted as software *per se*, abstract ideas, or mental construct, and not tangibly embodied
17 on a computer readable medium or hardware.

18 Applicants have amended independent Claims 1 and 21 to clarify that these claims are
19 directed to a method *implemented by a computing device*, for "... automatically formatting a table to
20 reflect a change in a visual appearance of a decorative panel that comprises a plurality of separate but
21 visually related regions defined by the table...", and "automatically formatting a plurality of cells of a
22 table in a Web document responsive to a change in visual appearance of a decorative panel
23 comprising ...," respectively. Clearly, as thus amended, it will be apparent that the method defined
24 by each of these claims cannot be performed "mentally."

25 Accordingly, applicants request that the rejection of Claims 1 and 21 be withdrawn since the
26 claims as amended are now directed towards patentable subject matter. In addition, applicants
27 request that the rejection of dependent Claims 2-3, 5-13 and 22 be withdrawn since these dependent
28 claims depend from independent claims that are directed towards patentable subject matter.

1 Claims Rejected under 35 U.S.C. § 103(a)

2 The Examiner has rejected Claims 1-22 as being unpatentable by Rempell (U.S. Patent
3 Application No. 20040148307, hereinafter referred to as "Rempell") in view of Teague, "DHTML
4 and CSS for the World Wide Web," Public Release May 22, 2001. The Examiner asserts that it
5 would have been obvious to a person of ordinary skill in the art at the time the invention was made to
6 have modified Rempell's teaching by providing a panel's interface objects built with HTML, dynamic
7 HTML, JavaScript, and Cascading Style Sheets, to include means for detecting the change in the
8 visual appearance of decorative panels of Teague's teaching. The Examiner asserts that one of
9 ordinary skill in the art would have been motivated to modify this combination to provide the
10 following advantages: supported by most browsers, small file sizes, no plug-ins required, easy to
11 learn, fast development, faster Web experience, no Java programming required (as taught by Teague
12 at page 171). Applicants respectfully disagree for the following reasons.

13 In the interest of reducing the complexity of the issues for the Examiner to consider in this
14 response, the following discussion focuses on independent Claims 1, 14, and 21. The patentability of
15 each dependent claim is not necessarily separately addressed in detail. However, applicants' decision
16 not to discuss the differences between the cited art and each dependent claim should not be
17 considered as an admission that applicants concur with the Examiner's conclusion that these
18 dependent claims are not patentable over the cited references. Similarly, applicants' decision not to
19 discuss differences between the prior art and every claim element, or every comment made by the
20 Examiner, should not be considered as an admission that applicants concur with the Examiner's
21 interpretation and assertions regarding those claims. Indeed, applicants believe that all of the
22 dependent claims patentably distinguish over the references cited. However, a specific traverse of the
23 rejection of each dependent claim is not required, since dependent claims are patentable for at least
24 the same reasons as the independent claims from which the dependent claims ultimately depend.

25 Discussion of the Rejection of Independent Claim 1

26 With regard to independent Claim 1, significant differences exist between the combined
27 references and applicants' claim recitation. For example, neither cited reference teaches a decorative
28 panel. The preamble of Claim 1 defines a decorative panel as a panel "...that comprises a plurality of
29 separate but visually related regions defined by the table...." There are at least five aspects recited in
30 regard to the decorative panel in this claim: (1) the panel is decorative; (2) the panel includes at least

1 two regions; (3) the regions are separate; (4) the regions are visually related; and, (5) the regions are
2 defined by a table.

3 However, as noted above, the Examiner has asserted that Teague teaches a decorative panel.
4 Also, the Examiner has asserted that on pages 181 through 185 and Tables 11.1, 11.2 and 11.7,
5 Teague teaches how event handlers work in the DHTML, CSS, and DOM environment and teaches
6 detecting an event. The Examiner asserts that this process starts with the visitor's action (the mouse
7 over) and ends with the browser's reaction (changing the graphic). The Examiner further indicates
8 that between these two occurrences, the browser senses the action (event), triggers a function, and
9 uses the DOM to change the image's source to a different graphic file. The Examiner reads the above
10 with a very broad interpretation, concluding that a change in visual appearance of the decorative
11 panel would have been an obvious variant of the browser's reaction (changing the graphic).

12 The Examiner has not specifically pointed out to applicants where he believes Teague teaches
13 a decorative panel, and applicants are unable to identify any portion of Teague providing a teaching
14 that corresponds to applicants' decorative panel. On page 181 of Teague, there is a teaching of an
15 event handler that responds when a window or frame is resized; however, applicants' decorative
16 panel is not equivalent to a window or frame. The preamble of the claim defines a decorative panel
17 as comprising "...a plurality of separate but visually related regions defined by the table."

18 FIGURE 37 of Rempell also fails to teach or suggest a decorative panel, or any equivalent
19 that includes the five aspects recited by the preamble, as enumerated above. Accordingly, the
20 rejection of independent Claim 1 under 35 U.S.C. § 103(a) over Teague and Rempell should be
21 withdrawn, since Teague and Rempell do not teach or suggest all of the recitation of independent
22 Claim 1.

23 Claims 2-13 ultimately depend from independent Claim 1. Because dependent claims
24 inherently include all of the steps or elements of the independent claim from which the dependent
25 claims ultimately depend, dependent Claims 2-13 are patentable for at least the same reasons
26 discussed above with regard to independent Claim 1. Accordingly, the rejection of dependent
27 Claims 2-13 under 35 U.S.C. § 103(a) over Teague and Rempell should also be withdrawn.

1 Discussion of the Rejection of Independent Claim 14

2 Independent Claim 14 is directed towards a system for automatically formatting a table to
3 reflect a change in a visual appearance of a decorative panel that comprises a plurality of separate but
4 visually related regions defined by the table.

5 The Examiner has rejected these steps for the same reasons applied to independent Claim 1,
6 and further in view of Rempell, page 1, paragraph 0001. Again, the Examiner applies a broad
7 interpretation to the claim recitation and concludes that a processor, a display, and a memory would
8 have been an obvious variant of a computer system used for building a web site having a browser-
9 based build engine.

10 Nevertheless, for reasons similar to those discussed above in connection with independent
11 Claim 1, independent Claim 14 also distinguishes over Teague and Rempell, because Teague and
12 Rempell do not teach applicants' decorative panel, or any equivalent that includes the following five
13 aspects recited in the claim for the decorative panel, specifically, that: (1) the panel is decorative; (2)
14 the panel includes two regions; (3) the regions are separate; (4) the regions are visually related; and,
15 (5) the regions are defined by the table. Accordingly, the rejection of independent Claim 14 under
16 35 U.S.C. § 103(a) over Teague and Rempell should be withdrawn, since Teague and Rempell do not
17 teach or suggest all of the elements of independent Claim 14.

18 Claims 15-20 ultimately depend from independent Claim 14. Because dependent claims
19 inherently include all of the steps or elements of the independent claims from which the dependent
20 claims ultimately depend, dependent Claims 15-20 are patentable for at least the same reasons
21 discussed above with regard to independent Claim 14. Therefore, the rejection of dependent
22 Claims 15-20 under 35 U.S.C. § 103(a) over Teague and Rempell should be withdrawn

23 Rejection of Independent Claim 21

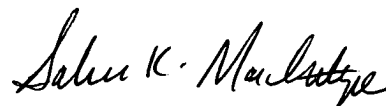
24 Independent Claim 21 is directed towards a method for automatically formatting a plurality of
25 cells of a table in a Web document responsive to a change in visual appearance of a decorative panel
26 comprising a plurality of regions mapped to the plurality of cells of the table. Thus, there are at least
27 three aspects recited for the decorative panel in this claim, including that: (1) the panel is decorative;
28 (2) the panel includes at least two regions; and, (3) the regions are mapped to the plurality of cells of
29 the table.
30

1 The Examiner asserts that the steps of this method incorporate subject matter substantially
2 similar to that recited in Claim 1 and thus, the Examiner rejects the claim using the same rationale
3 applied in the rejection of Claim 1. Nevertheless, for reasons similar to those discussed above in
4 connection with the traverse of the rejection of independent Claim 1, applicants note that independent
5 Claim 21 distinguishes over Teague and Rempell. For example, Teague and Rempell do not teach a
6 decorative panel or any equivalent that includes the three aspects listed above. Accordingly, the
7 rejection of independent Claim 21 under 35 U.S.C. § 103(a) over Teague and Rempell should be
8 withdrawn, since Teague and Rempell do not teach or suggest all of the elements recited in
9 independent Claim 21.

10 Claim 22 ultimately depends from independent Claim 21. Because dependent claims
11 inherently include all of the steps or elements of the independent claims from which the dependent
12 claims ultimately depend, dependent Claim 22 is patentable for at least the same reasons discussed
13 above with regard to independent Claim 21. Therefore, the rejection of dependent Claim 22 under
14 35 U.S.C. § 103(a) over Teague and Rempell should be withdrawn.

15 In view of the Remarks set forth above, it will be apparent that the claims remaining in this
16 application define a novel and non-obvious invention, and that the application is in condition for
17 allowance and should be passed to issue without further delay. Should any further questions remain,
18 the Examiner is invited to telephone applicants' attorney at the number listed below.

19 Respectfully submitted,

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23

24 SKM/RMA:elm

25 MAILING CERTIFICATE

26 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
27 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
28 Alexandria, VA 22313-1450, on December 28, 2005.

29 Date: December 28, 2005

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